



May 22, 2006

Docket Clerk, Fruit and Vegetable Programs
Agricultural Marketing Service
U.S. Department of Agriculture
1400 Independence Avenue, SW.
Stop 0243
Washington, DC 20250-0243
Attn: Trista Etzig

On behalf of the Seneca Foods Corporation, I am providing comments in response to the April 20, 2006 proposed rule: *Specialty Crop Block Grant Program; Notice of Request for Approval of a New Information Collection*. Seneca Foods Corporation is the largest vegetable processor in the country. We operate 20 plants located in ID, MN, ILL, WI and NY and contract with over 3,000 growers to provide over 300,000 acres of vegetables to supply these facilities. We employ over 3,500 full time and over 5,000 part time workers in the mostly rural communities where our plants are located. We produce over 100 million cases (2.4 billion cans on a 24 pack equivalent basis) of high quality canned and frozen vegetables and are responsible for over 50% of the canned corn and peas consumed in this country.

This rulemaking is an important step in assuring that specialty crop block grant funds are used appropriately by states to enhance the competitiveness of specialty crops with the ultimate goal of helping consumers improve their health by eating more fruits and vegetables.

Seneca Foods Corporation would like to highlight two major concerns with the proposed rule:

1. The rule is inconsistent with the clear intent of Congress when it passed the Specialty Crop Competitive Act in 2004 (Public Law 108-465) and will limit consumer choice by excluding the promotion of all types of specialty crops – including canned fruits and vegetables.

Section 1290.4 of the proposed rule: *Eligible grant project*, states that:

- (a) To be eligible for a grant, the project(s) must enhance the competitiveness of specialty crops. **Priority will be given to fresh specialty crop projects.**

This language is inconsistent with the authorizing legislation and will limit competitiveness and ultimately consumer choice. Congress did not intend for one form of specialty crop to be given priority over others, nor to restrict state departments of agriculture from promoting a variety of specialty crops. USDA has exceeded its regulatory authority in giving preference to fresh specialty crops.

It has been my honor to have personally served the last two years (and to have been appointed for another two years) on USDA's Fruit and Vegetable Industry Advisory Committee. I believe strongly and have consistently articulated to that group the notion that we should **never** favor the consumption of one form of fruit and vegetable over another. It should be everyone's mission and especially our industry to increase consumption of **ALL** fruits and vegetables. **NOT** to increase one form at the expense of another. All forms of fruits and vegetables have pluses and minuses depending on which

specific product that the consumer chooses as well the particular location and economic stability of that consumer. However, it is **universally** agreed that consumption of most any fruit or vegetable, is better than not consuming.

2. The rule does not recognize the growing body of evidence on the benefits of canned and frozen fruits and vegetables.

The proposed rule is counter to federal guidelines on nutrition. The *Dietary Guidelines for Americans 2005* identifies canned foods as a way to help people consume the recommended daily variety and amount of fruits and vegetables. Nowhere in the Dietary Guidelines is preference given for fresh fruits and vegetables. The attached fact sheet – “Can Fit” – highlights the many positive attributes associated with canned fruits and vegetables, including their nutrient profile, consumer preference, nutrient losses for fresh produce, nutrient retention for canned and food safety.

On behalf of Seneca Foods Corporation I thank you for considering these comments. We urge USDA to issue a final rule that is consistent with the will of Congress and recognizes the importance of promoting **all** types and forms of healthy and nutritious specialty crops. As proposed, this rule will restricting promotion efforts and is counter to open competition. It also does not reflect current scientific knowledge of the importance of all types and forms of fruits and vegetables in promoting health.

Sincerely,



Paul Palmby
Executive Vice President and
Chief Operating Officer
Seneca Foods Corporation
418 East Conde Street
Janesville, WI 53546
(608) 743-8320
email - ppalmby@senecafoods.com
website – senecafoods.com